



Killing KXL

How an unlikely coalition of environmental activists stopped the destructive tar sands oil pipeline.

Written with the NRDC editorial staff

A decade ago, Susan Casey-Lefkowitz got one of her first eye-opening looks at the destruction wrought by the fast-expanding Canadian tar sands industry. A lawyer who specialized in international environmental issues, Casey-Lefkowitz was now a policy advocate at the nonprofit Natural Resources Defense Council, focused on the group's growing work in Canada. Sitting in a darkened hotel conference room with allies from Canadian activist groups, Casey-Lefkowitz (the only U.S. representative in the room) watched a set of slides showing the extent of the industry's ugly spread northern Alberta, and she knew that the environmental movement would need to mobilize against the devastation—and its potential consequences for the entire planet. As she would later describe it: "I didn't want to face my grandchildren twenty years down the road and know that I had made the wrong choice at a crossroads moment for fighting climate change."

Tar sands weren't an entirely new threat. At least as far back as the 1930s, boosters had been proclaiming the thick deposits of bitumen in the boreal forest "probably the largest potential oil field in the world." By 2004, production had reached one million barrels per day, and oil companies were salivating over the possibility of more production and greater profits. But the challenge wasn't just getting the thick, silty deposits out of the ground—which required some of the largest and most destructive open-pit mining operations on earth. Oil companies also had to get the deposits to refineries, and then to market. If the industry were to keep expanding, that would mean more pipelines out of Canada and into the United States.

In the months after her eye-opening experience, Casey-Lefkowitz and her NRDC colleague Liz Barratt-Brown began working with their Canadian counterparts including the Pembina Institute, Environmental Defence Canada,



and Greenpeace Canada to fight the industry's expansion. They created a strategy to raise public awareness about what was already happening—and how much worse it could get if the industry's plans went ahead unimpeded.

Their fears were well founded. In September 2008, while U.S. senators Barack Obama and John McCain were still running for president, a powerful, well-connected Canadian company filed an application with the U.S. State Department. TransCanada wanted quick approval for a 1,700-mile pipeline that would ship tar sands crude directly to refineries on the Gulf Coast, where the oil could easily be exported overseas. Along the way, the Keystone XL pipeline would cross environmentally sensitive and agriculturally important areas, including Nebraska's Sandhills and the Ogallala Aquifer. It would threaten tribal homelands and increase carbon pollution. Oil spills along its route—almost guaranteed, given the pipeline industry's safety record—would expose farms, ranches, and communities to devastating economic and environmental damage. And yet despite all that, the project attracted little public attention at the time—and, it seemed, there was scant chance of stopping it.

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Well into President Obama's second term in office, after years of contentious debate and grass-roots activism, Keystone XL has been rejected once and for all. This is the behind-the-scenes story of how a small group of unlikely allies turned what everyone expected to be a routine governmental approval process into one of the most heated environmental battles in U.S. history—and prevailed.

FORGING ALLIANCES

In 2006, Canada brought its marketing campaign for tar sands oil to Washington, D.C., in the form of an exhibit at the Smithsonian Folklife Festival on the National Mall. Sponsored by the oil industry and the province of Alberta, it featured cheerful activities for children and a photographic display that purported to show how tar sands mines and wetlands could co-exist. NRDC and its allies were on the scene—distributing fliers and explaining the real impact of tar sands mining, telling the performing musicians how ugly it was to see this industry portrayed as "folklife."

In those early days, the work to stop tar sands was unrewarding. Casey-Lefkowitz and Barratt-Brown trudged from congressional offices and federal agencies

to the White House, armed with photos and sounding the alarm. They showed anyone who would listen images of Canada's lush green boreal forest and what happened once the industry dug in—a lunar landscape of mines that stretched one to two miles across, surrounded by enormous mounds of sulfur and pet coke from refineries. Predictably, officials were horrified. But it was hard to get traction for what many viewed as a Canadian problem. Twice, NRDC and its allies had fought pipelines that crossed the border to U.S. refineries; twice, they lost those battles.

Then TransCanada applied for a permit to build Keystone XL. This project was so large and potentially devastating, its consequences so far-reaching and grave, that it gave NRDC and other environmentalist activists the basis to launch a major campaign against the tar sands.

As a first step, NRDC joined forces with Corporate Ethics International, a nonprofit that works to promote corporate responsibility, including in the energy industry. CEI had commissioned research into tar sands oil and the awful consequences of its potential expansion, including the devastation in Canada and contribution to climate change. CEI's Michael Marx became the coordinator of an international campaign against tar sands, and Kenny Bruno, who was affiliated with CEI, coordinated the U.S. effort. Working with NRDC, Marx and Bruno recruited other groups to the cause, including Sierra Club, the National Wildlife Federation, Friends of the Earth, the League of Conservation Voters, and Oil Change International.

Their task was daunting. The American public knew almost nothing about tar sands production or its drawbacks. And tar sands boosters had a good storyline to sell: Why not get oil from friendly Canada instead of unstable, often unfriendly countries in the Middle East? Canadian Prime Minister Stephen Harper was a huge fan of tar sands, along with the well-funded and politically powerful oil industry and a host of influential Washington insiders. The rag-tag environmentalists were outnumbered and could easily be outspent.

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Barratt-Brown called U.S. Senator Sheldon Whitehouse, a Rhode Island Democrat and political leader on climate change issues, to ask for advice. "He immediately shot back that we needed senators from along the proposed route," she recalls. Local opposition would be critical to any stop-the-pipeline effort, and that meant Plains States senators would have to hear from their constituents. In



largely conservative and often oil-friendly states (KXL would cross Montana, South Dakota, Nebraska, Kansas, Oklahoma, and Texas), that seemed like a tall order.

POLITICAL PRESSURE

In 2009, President Obama planned to make his first trip abroad—to Canada, one of America's closest allies. For those who wanted to bring attention to the tar sands and the KXL project, it was a huge opportunity. The State Department would determine whether the pipeline was in the national interest, but it was the president who would have final say over whether to issue a permit.

Just before Obama left for his Canadian trip, NASA's James Hansen, one of America's leading climate scientists, wrote an op-ed warning that the tar sands were "one of our planet's greatest threats." Later, Hansen would famously say that if Canada were to fully exploit its vast tar sands reserves, it would be "game over" for the climate.

In Ottawa, Obama noted activists' concerns, saying: "We are very grateful for the relationship that we have with Canada, Canada being our largest energy supplier. But I think increasingly that we have to take into account that the issue of climate change and greenhouse gases is something that's going to have an impact on all of us."

Despite this encouraging signal, Secretary of State Hillary Clinton would later say that her department was "inclined" to sign off on the KXL project. Clearly, one scientist's op-ed wouldn't be enough to reach the administration. In 2010, the State Department issued the first draft of an environmental impact report required before a pipeline permit could be issued. The finding: Keystone XL would have "limited adverse" impacts. Tar sands proponents celebrated.

But the State Department wouldn't make the decision alone; other federal agencies needed to weigh in, and the Environmental Protection Agency countered that State's assessment was "inadequate." It recommended reviewing a broader range of environmental issues, including the potential impacts of a major spill. In a foreshadowing of debates to come, the EPA also stated: "We believe the national security implications of expanding the nation's long-term commitment to a relatively high carbon source should also be considered."

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Just 10 days later, the EPA's warning proved justified. A pipeline operated by TransCanada's biggest competitor,

Enbridge Inc., ruptured in Michigan, spilling nearly one million gallons of tar sands oil into the Kalamazoo River. Hundreds of residents went to the hospital complaining of health problems. And now the activists had another revealing photo to carry around by way of warning—the Enbridge pipeline looked as if a bomb had exploded inside it.

Enbridge initially denied that its busted pipeline had been carrying tar sands oil, but it was forced to retract after NRDC's [onEarth magazine](#) asked tough questions and prodded investigators to confirm it. In a subsequent [report](#), NRDC and its allies demonstrated that "dilbit"—the chemically diluted bitumen carried by tar sands pipelines—is "significantly more corrosive to pipeline systems than conventional crude." In other words, tar sands pipelines will, inevitably, leak, with greater impact on the environment due to the heavy, thick nature of tar sands crude (which sank to the bottom of the Kalamazoo River, rather than floating on top). Tar sands spills require "significant personnel, equipment, supplies and other resources" for cleanup, the NRDC report concluded. And indeed, cleanup of the Kalamazoo has cost more than \$1 billion. Five years later, it is still ongoing.

GRASS-ROOTS MOBILIZATION

Armed with graphic evidence that tar sands oil was a threat to their land, homes, and rivers, NRDC and its allies put new energy into connecting with the farmers, ranchers, and tribespeople along the Keystone XL route—the ones who would suffer most directly from a spill like the one in Kalamazoo. One of their staunchest new supporters was Jane Kleeb, a young progressive married to a Nebraska farmer. She had founded Bold Nebraska with the idea of fostering community action in the state; the more she learned about the dangers of the pipeline, the more she realized that this was a cause that would unify Nebraskans, who learn in grade school of the importance of protecting the Ogallala Aquifer that provides much of their state's water. A threat to the aquifer was a threat even unlikely allies would understand.

One of those unlikely allies was a Republican rancher named Randy Thompson. His family had raised cattle for generations on land that TransCanada would need to build the pipeline. He became the face of a campaign called All Risk, No Reward, and "I Stand With Randy" became a common slogan on the signs and T-shirts of pipeline opponents.

As groups like these coalesced, a national movement was being born. The No Tar Sands Oil campaign, sponsored by groups including CEI, NRDC, Sierra Club, 350.org, National Wildlife Federation, Friends of the Earth, Greenpeace, and Rainforest Action Network, had a fresh strategy. In the past, Secretary Clinton and the State Department had been the focus of protest. The disastrous



ruling of 2010 led the groups to switch their attention to President Obama. Increasingly the activists named him as the decision-maker and directed all public appeals to the White House. In early 2011, on the eve of a meeting between Obama and Canadian Prime Minister Harper, 86 groups representing millions of Americans—from the Idaho Wildlife Federation to the Texas Conservation Alliance—signed a letter urging the president to reject the pipeline.

That spring, the writer and activist Bill McKibben, founder of the group 350.org, contacted coalition members about the pipeline campaign, testing their appetite for civil disobedience in Washington. All were in favor. In the course of two hot weeks during the summer of 2011, more than 1,200 people were arrested during sit-ins on the sidewalk in front of the White House, from farmers and ranchers to actress Daryl Hannah.

This was the turning point for the tar sands movement, the moment when James Hansen's science and Bill McKibben's convening power were directed at Keystone XL, and the world started to take notice.

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Young people swarmed to the movement, which led to some tense confrontations. In October 2011, pipeline opponents were camping out overnight to get a speaking slot at the next day's State Department hearing in Washington. They faced off against pipeline proponents, and CEI's Bruno received a late-night call from a demonstration organizer, asking him to come help ease tensions. At the next day's hearing, a Nebraska rancher's daughter broke down in tears and implored union members who supported the pipeline: "We are workers, too. Don't you care about our jobs?"

One month later, exactly a year before President Obama's second election, 12,000 people encircled the White House to proclaim: "Yes We Can...Stop the Pipeline." John H. Adams, the founding president of NRDC and one of the giants of the environmental movement, was there. "Our ring around the White House was ten people deep at points," he wrote, calling it the "largest environmental demonstration I've ever witnessed."

Casey-Lefkowitz was there, too. "We could feel the ground shifting politically," she says. Surrounding the White House was symbolically powerful. So was the broad diversity of those speaking out against the pipeline. In Bruno's words: "It was a giant embrace of the

president by people who had supported his candidacy. But this was not unconditional love. It required climate action, starting with Keystone XL."

BRINGING THE HEAT

With a broad coalition of activists fighting in the streets, NRDC and its allies also continued to marshal intellectual and economic arguments against the pipeline.

→ Retired Brigadier General Steven Anderson, the Army's chief logistician in Iraq in 2006–2007, testified to Congress that Keystone XL would "degrade our national security" by keeping the nation addicted to oil.

→ More than 100 scientists wrote to President Obama to oppose KXL, with one group of 20 climate scientists declaring that the pipeline was "not only not in the national interest, it's also not in the planet's best interest."

→ Researchers from Rainforest Action Network and National Wildlife Federation uncovered information from TransCanada showing that Keystone XL might raise oil prices in the Midwest.

→ An Oil Change International report called "Exporting Energy Security" showed that much of the oil from Keystone XL would ultimately be exported.

→ NRDC pointed out that, in less than a year of operation, the first part of the Keystone pipeline networked had leaked 12 times. (In subsequent years, NRDC would continue to document all the ways in which TransCanada had amassed a terrible safety record.)

→ The Cornell Global Labor Institute released a report showing that Keystone XL would create no more than 2,000 jobs for two years. And institute staff, along with a young First Nation leader from Alberta named Melina Laboucan Massimo, were instrumental in recruiting the first labor unions to oppose the pipeline.

The president appeared to be paying attention. In November, he told a Nebraska radio station that he shared concerns about the pipeline's route through the Sandhills and Ogallala Aquifer. He suspended the State Department review, asking the department to consider an alternative route and address environmental concerns.

The backlash was ferocious. In the closing days of Congress in 2011, Republicans presented a bill that required a decision on Keystone XL within 90 days, attaching it to a must-pass tax bill. Forced into a decision, President Obama rejected the project, at least for the moment, noting that his decision was based solely by the "rushed and arbitrary deadline" congressional Republicans had imposed.

TransCanada promptly segmented the pipeline and submitted a fresh proposal—one for a southern leg that didn't cross the Canadian border. NRDC led a swift and



thorough response, engaging experts and submitting hundreds of pages of technical input to the government, including 50,000 comments from activists. (Subsequent efforts would generate hundreds of thousands of comments opposing the pipeline.)

Facing a reelection campaign, Obama now took a cautious approach. Instead of rejecting Keystone XL outright, he agreed to an expedited permitting process for the pipeline's southern leg. TransCanada had achieved a partial victory—□but only partial. It could build in Oklahoma and Texas, but the stretch of pipeline crossing into Canada was the key to expanding the tar sands industry, and it remained in the president's power.

MAINTAINING MOMENTUM

As the president sought reelection, powerful donors urged him—in public and private—to reject the pipeline once and for all. As he settled in for a second term, more than 35,000 people marched on the National Mall in bone-chilling temperatures in February 2013 for the “Forward on Climate” rally. They included busloads of college students, religious groups, tribal representatives, landowners, business leaders, the Hip Hop Caucus, and National Nurses United. The coalition continued to grow.

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In June 2013, in a major climate speech at Georgetown University, President Obama addressed Keystone XL, saying: “Our national interest will only be served if this project does not significantly exacerbate the problem of carbon pollution.” This was significant. The president had established a climate test for the project, said Danielle Droitsch, who was now NRDC's Canada project director. (Casey-Lefkowitz had moved up to lead the group's international program.) “Keystone XL was clearly a driver of tar sands expansion, and therefore would make climate change worse,” Droitsch said. If activists could make that clear, the president's own test would prohibit him from approving the project.

“What was profound is that the president said that impact on climate would determine whether it was in the national interest,” said CEI's Bruno. “And it was the doggedness of Keystone XL protesters that had brought him to that realization.”

That doggedness would need to continue. Over the next year, the debate continued to drag out. In early 2014, the State Department issued a final—and somewhat ambiguous—environmental impact assessment. Other federal agencies were then asked to weigh in. In Nebraska, court challenges to the pipeline route—and a state law that had allowed TransCanada to use eminent domain to seize land for the project—kept the route in doubt. Representatives of 16 Indian tribes in three states also challenged TransCanada's right to cross their land.

Congressional Republicans, though, urged on by fossil fuel interests, kept trying for force the project through. In January 2015, after taking control of both houses of Congress, they sent a pipeline-approval bill to the White House. President Obama vetoed it. Shortly thereafter, the Environmental Protection Agency weighed in on the State Department's environmental review, concluding that Keystone XL would lead to expanded tar sands oil production, and as a result, significantly increase carbon pollution, just as NRDC's analysts had argued for years.

Today the seven-year battle finally ended with President Obama's rejection of the Keystone XL proposal. “America is now a global leader when it comes to taking serious action to fight climate change,” the president said. “And, frankly, approving this project would have undercut that global leadership.”

Bruno, who spent more than six years organizing groups to fight the pipeline, says: “If the Keystone XL campaign has raised awareness about the threat of tar sands and slowed its expansion—and the evidence is that it has—then we did the job we set out to do. The heroes of this story are the activists who kept coming out to meet the president, who held signs, who sent letters and signed petitions and traveled and never tired.”

For Casey-Lefkowitz, the journey that started in that darkened room has reached a conclusion—but it's far from the end. “I predict that down the road,” she says, “we'll be able to look back at the Keystone XL campaign as a moment when the American environmental movement was rejuvenated to confront, and eventually reverse, climate change.”

Written with the NRDC editorial staff